



Toothapps®

Privacy Policy

Ver. April 24, 2024

Talentship, LLC, d/b/a Toothapps, ("**Company**", "**we**", "**us**" or "**our**") values transparency and privacy. In this Privacy Policy ("**Policy**"), we describe how we collect, use and disclose information that we obtain through our Toothapps® dental practice management software application, our website, and the services available through our website or our application (collectively the "**App**"), including the related information, training materials, video, text and audio files (collectively "**Content**") provided through the App, including any personal data that you provide us or we collect from or about the users of the App. We reserve the right to change this Policy as needed, the current version of this Policy will be available through the App. All references in this Policy to "Company", "we", "us", "our", and like terms should be interpreted accordingly.

Consent to Use of Personal Information

By accessing or using our App, you agree that we will collect and handle information as described in this Policy. Your use of our App is subject to this Policy and our Terms & Conditions, available on our website, including its applicable limitations on damages and the resolution of disputes. Please note that if you are a dental practice customer, your use of our App is governed by our Master Subscription Agreement. Our dental practice customer's customers (as Users of our App) will be governed by the Toothapps end user license agreement (EULA). If we are provided access to protected health information, as defined under the Health Insurance Portability and Accountability Act of 1996 and as amended by the Health Information Technology for Economic and Clinical Health Act of 2009 (collectively, HIPAA) through the App, we will protect and secure such information in accordance with HIPAA and any business associate agreement with our dental practice customer.

This Policy specifies:

- What personal information we collect about you through our App.
- How personal information is used and with whom it may be shared.
- What your choices are regarding the use of your personal information.
- What our security practices are to protect your personal information.
- How you can correct any inaccuracies in your personal information.

If you have questions as to how this Policy applies to you, please contact us using the Contact Us section below.

BY ACCESSING AND USING OUR APP, YOU AGREE TO THE INFORMATION USE AND COLLECTION TERMS OF THIS POLICY. WE HAVE THE RIGHT TO REVISE THIS POLICY AT ANY TIME. WE MAY NOT NOTIFY USERS INDIVIDUALLY IF WE CHANGE THIS POLICY. ANY CHANGES WILL BE EFFECTIVE WHEN POSTED. WE ENCOURAGE YOU TO CHECK THIS POLICY FREQUENTLY FOR CHANGES.

DISCLAIMER: OUR APP IS NOT INTENDED TO CREATE ANY DOCTOR-PATIENT RELATIONSHIP, OR DOCTOR-PATIENT RELATIONSHIP BETWEEN YOU AND ANOTHER PERSON. OUR CONTENT IS NOT INTENDED TO CONSTITUTE MEDICAL ADVICE.

Information We Collect

This Policy applies to the “personal information” (as that term is defined under applicable data protection laws for personally identifiable, personal information and/or personal data) and is generally information which specifically identifies an individual (such as name, email, address, etc.). Specifically this Policy applies to all individuals who are, or have been, registered as users of the App (collectively, a “user” or “you”). “Data Protection Laws” includes all applicable national, federal, state and other applicable data protection laws and regulations related to the privacy and security obligations to protect personal data.

- **Registration Information.** Certain areas and features of our App require registration. To register you may need to provide your email address, first and last name, clinic or organization, phone number and other contact information. We may also collect information you submit to us on our App, such as through “Contact Us” pages, or that you post to our App (e.g., comments or a message text box or chatbot).
- **Information We Collect Automatically.** We may automatically collect the following information about your use of the App through cookies, web beacons, log files, and other technologies: domain name; browser type and operating system; pages viewed, links clicked and other activities on the App; traffic statistics; IP address; the length of time using our App; date and time of access; page visits; browser type; device ID or other identifier; location and language information. We may combine this information with other information that we have collected, including, where applicable, Personal Information. Please see the “Cookies and Other Tracking Mechanisms” section below for more information.
- **Payment Details.** If we process payments for you through our App, we will also collect your credit or debit card information and billing address to process subscription and other payments for the App.
- **Information about Our Dental Practice Customers’ customers.** We may collect payment information directly from your customers (related to payments to customers), as well as other information, such as name, contact information, other information, submitted via our App.
- **Public Forum, Social Media, and Blogs.** We may create or host a public discussion forum or blog either through our App or through our Social Media accounts. Such discussion forum or blog would be for the general public, and all information submitted through the same should be public, not confidential and appropriate for public discourse. We do not assume responsibility for any information you may choose to post in such discussion forum or blog, but we reserve the right to remove posts which are threatening, inappropriate, in violation of law, or otherwise harmful to others. If you make a post, all of the information that you post will be available to all visitors to our website. If you post your own content on our website, your posting may become public and the Company cannot prevent such information from being used in a manner that may violate this Policy, the law, or your personal privacy.

Cookies and Other Tracking Mechanisms

We use cookies and other tracking mechanisms to track information about the use of our App. We may combine this information with other Personal Information we collect.

- **Do Not Track.** Currently, our systems do not recognize browser “do-not-track” requests. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies), and opt out of certain ad networks.

- **Cookies.** Cookies are alphanumeric identifiers that we transfer to your computer's hard drive through your web browser for record-keeping purposes. Some cookies allow us to make it easier for you to navigate our App, while others are used to enable a faster log-in process or to allow us to track activities on our App. Most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block them in the future. Certain features of the App may not function if you disable cookies.
- **Clear GIFs, pixel tags and other technologies.** Clear GIFs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are stored on your computer's hard drive, clear GIFs are embedded invisibly on web pages. We may use clear GIFs (a.k.a. web beacons, web bugs or pixel tags), in connection with our App to, among other things, track activities on the App, help us manage content, and compile statistics about usage of the App. We also use clear GIFs in HTML e-mails to help us track e-mail response rates, identify when our e-mails are viewed, and track whether our e-mails are forwarded.
- **Third Party Analytics.** We use automated devices and applications on the App, such as Google Analytics, to evaluate usage of our App. We also may use other analytic means to evaluate our App. We use these tools to help us improve our App, performance and user experiences. These entities may use cookies and other tracking technologies to perform their services.
- **Targeted Advertising and Ad Networks.** We may use third party services, such as Google AdWords, to send users targeted ads, based on their use of our App. We may also participate in third-party ad networks and allow third parties to use cookies, pixel tags and other tracking technologies on our App to display targeted ads. These third parties may use cookies and other technologies to track your activities and display ads to you; they also may be able to associate the information they collect with other information they have about you from other sources. For information about Google AdWords, including how to opt out, visit Google's Ads Settings page. You may also opt-out of many third-party ad networks.

How We Use Your Information

We use your Personal Information as necessary to provide our App. In addition, we may use the information we collect about you, including any Personal Information you may provide to us and other information we collect in order to:

- Authenticate you as a user and provide you with access to our App.
- Provide our App, including by: communicating with customers and visitors; responding to your emails, submissions, requests and inquiries; notifying you of change of services, maintenance, and other operational information about the App; and for other customer service purposes.
- Tailor the Content that we send or display, to offer location customization, and personalized help and instructions, and to otherwise personalize experiences using the App.
- For marketing and promotional purposes. For example, we may send you a welcoming, account related or customer service email, surveys about our App, or news and newsletters, special offers, and promotions, or otherwise contact you about products or information we think may interest you. We also may use the information that we collect to assist us in advertising our App on third party websites.
- Better understand how users access and use our App, both on an aggregated and individualized basis, in order to improve our App and respond to user desires and preferences, and for other research and analytical purposes.
- Enhance, improve and develop our App and new services and products.

- Process your App access order.
- Process your payment.
- Track use of our App, investigate suspicious activity, and enforce our terms and policies, to measure and improve the operation and security of our App, and your Personal Information.
- Allow us to disclose your Personal Information to the extent permitted or required by law.
- Protect and defend the rights, property and personal safety of our Company, our employees, customers and the public.
- Prevent our App and our customers and users from any fraudulent, abusive, unlawful or unauthorized use of our App or our Content.
- In the event our Company is subject to a merger or acquisition, our App, Content, and all agreements and information from customers and users, which may include your Personal Information, may be transferred as part of such a transaction.

Your Rights

You may opt out of any future contact from us at any time. Depending on where you live, you may have certain legal rights under applicable law. For example, you may have the following rights:

- Your right to Access – means that you can ask us for a copy of any Personal Information we hold about you.
- Your right to Correct - if you believe that any of the Personal Information we hold about you is incorrect or out of date, you have the right to correct such Personal Information by providing us with the correct up-to-date Personal Information.
- Right to Erasure – you can ask us to delete the incorrect or out-of-date Personal Information and we will be happy to do so unless we are prevented from doing so by law or regulation. In certain circumstances you may also have the right to ask us to erase your Personal Information.
- Right to Portability – you have the right to request a copy of your Personal Information in a commonly used and machine readable format to be provided to you or to such other third party as you specify.
- Right to Limit – you have the right to opt out of any ancillary use of your Personal Information (e.g., for marketing purposes).

Please contact us (as specified below) to request any of the above rights. Upon confirmation that you are making the request, we will confirm our obligations under applicable law. Please note that even if a request is made to delete your Personal Information, we may be permitted or required to retain a copy for our business and legal obligations as permitted or required under applicable law.

Who We Share Information With

We may share information we collect via our App, including Personal Information, with the third parties list below (collectively, “Third Parties”):

- Affiliates. We may disclose Personal Information we collect from you to our affiliates or subsidiaries; however, if we do so, their use and disclosure of your Personal Information will be subject to this Policy.
- 3P Providers. Your Personal Information may also be provided to certain third party service providers (“3P Providers”) as necessary to provide our App, including third party vendors,

service providers, contractors, or agents who perform functions on our behalf. We are responsible for assuring that these 3P Providers comply with the terms of this Policy.

- Other Third Parties. We may partner with third parties to make certain programs or offers available to you. If you elect to participate in such programs we may share certain of your information with these third parties.

We do not share personal information with third parties for their direct marketing use.

In the previous twelve months, we may have shared certain categories of Personal Information with Third Parties for business purposes. The information shared may include the following categories of Personal Information: (1) identifiers; (2) commercial information; (3) location information; (4) usage information; and (5) other information that can be associated with you.

Except for the parties listed in this section, we will not share Personal Information with an unaffiliated third party without your prior authorization, unless doing so is necessary (1) to enforce this Policy, to comply with law, regulation or other legal processes or to protect the rights, property, or safety of us or others, (2) to comply with a valid order or process from a public authority, (3) to protect against misuse or unauthorized use of our App, (4) to detect or prevent criminal activity or fraud, or (5) in the event that the Company or substantially all of our assets are acquired by one or more third parties as a result of an acquisition, merger, sale, reorganization, consolidation, or liquidation, in which case such information may be one of the transferred assets.

Marketing Choices

We do not sell, lease, or otherwise disclose your Personal Information to unaffiliated third parties to market their products and services to you, except as expressly set forth in this Policy and under our HIPAA obligations. While we may provide Personal Information to Third Parties in order to communicate with you, we require all Third Parties (as well as our affiliates and business partners) to comply with this Policy and to take appropriate steps to secure your Personal Information. We may send periodic promotional or informational emails to you. You may opt-out of such communications by following the opt-out instructions contained in any such e-mail. Please note that it may take up to ten (10) business days for us to process opt-out requests. If you opt-out of receiving emails about recommendations or other information we think may interest you, we may still send you e-mails about your account or our App you have requested or received from us.

Third-Party Websites

Our website or App may contain links to, or appear on third-party websites. Any access to and use of such third party websites is not governed by this Policy, but instead is governed by the privacy policies of those third party websites, and we are not responsible for the information practices of such third party websites.

Security of Personal Information

We have implemented appropriate administrative, physical and technical safeguards to protect your Personal Information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. We restrict access to your Personal Information in our database to our authorized employees, agents, certain of our authorized business partners and/or authorized Third Parties as appropriate or necessary to provide the App. Please be aware that despite our best efforts, no data security measures can guarantee 100% security and no website, database or system is completely

secure or “hacker proof.” You are also responsible for taking reasonable steps to protect your Personal Information against unauthorized disclosure or misuse and you are responsible for protecting the security of any user account credentials and passwords. Please contact us immediately if your user account credentials or password has been compromised or misused.

Date Retention

We keep your Personal Information as long as needed to process your requests, to operate our business and provide our App, and as long as we are legally obligated to keep it. We will delete your Personal Information in accordance with our data retention policy. You have the right to ask us to delete your Personal Information at any time. Please note that deletion of your Personal Information may affect your right to use our App. While we will use reasonable efforts to de-activate your Personal Information and to delete such Personal Information, we may be required to retain such Personal Information as required by our systems or our legal requirements. Until we have deleted all of your Personal Information, we will continue to honor our privacy and security obligations related to your Personal Information.

Please note that in the event that we elect to de-identify your Personal Information, such de-identified information is no longer your Personal Information, and we may use such de-identified information, alone or in an aggregated basis to analyze our website and App, or as we deem appropriate.

Children Under 13

In compliance with the Children’s Online Privacy Protection Act, 15 U.S.C. § 6501.06 and 16 C.F.R. §§ 312.1 – 312.12, we do not knowingly collect information from children under the age of 13, nor do our website(s) target children under the age of 13. By using our website and/or App, you represent that you are not younger than 13. Please contact us if you know or suspect that we have collected information from children under the age of 13 and we will take prompt measures to remove such information.

Contact Us

If you have questions about the privacy aspects of our App or would like to make a complaint, please contact us at care@toothapps.com or visit www.toothapps.com.

Changes to this Policy

We may modify, alter or update our Policy at any time, so we encourage you to review our Policy frequently. We will not provide individual notice to you of changes to our Policy, but when we make updates to our Policy, we will update the date at the top of this Policy.

STATE SPECIFIC LAWS

In the United States, there are now five states which have enacted a Data Protection Law, with the California Consumer Privacy Act, as amended by the California Privacy Rights Act, serving as the template for the other four states: Colorado, Connecticut, Virginia and Utah. All five of these states allow for individual rights as specified in the Your Rights section above.

In addition to the rights you have noted in the Your Rights section above, California requires that we identify the categories of Personal Information we have collected or disclosed about you in the last 12

months, the categories of sources for such information, and the categories of third parties with whom we have shared such information. We have identified this information in the Who We Share Information With section above. If you would like to exercise your rights, please contact us.

Nevada also has a right of consumers to opt-out of the sale of Personal Information. We do not sell your Personal Information, which is why we do not have an opt-out of such sale / sharing, (i.e., “Do Not Sell or Share My Personal Information” link).

Metrics

California law may require us to compile the following metrics for the previous calendar year: the number of rights requests received, complied with, and denied, as well as the median number of days within which we responded to those requests. To the extent this obligation applies to us, we will update this section.

California Shine the Light

If you are a California resident, you may ask for a list of third-parties that have received your information for direct marketing purposes during the previous calendar year. If we have shared your information, this list will contain the types of information shared, and we will provide this list at no cost. To make such a request, see the Contact Us section above.

California Do-Not-Track Disclosure

We are committed to providing you with meaningful choices about the information collected on our App for any third-party purposes. However, we do not currently recognize or respond to browser-initiated Do-Not-Track signals, as the Internet industry is currently still working on Do-Not-Track standards, implementations, and solutions.

California Online Privacy Protection Act

CalOPPA is a state law requiring commercial websites and online services to post a privacy policy. The law requires a company in the United States that operates a website that collects personal information from a California consumer to post a conspicuous policy on its website stating the information collected and the individuals with whom such information is shared. NOTE: the California Consumer Privacy Act noted above has updated this law.

CAN-SPAM Act

We collect your email address to communicate with you as noted above in our **How We Use Your Information** section. We do send communications in compliance with this law.

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